IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

FRIDAY, THE 9TH FEBRUARY 2007 / 20TH MAGHA 1928

WP(C).No. 4538 of 2007(M)

PETITIONER:

DR.C.C.SURESH, MS,
5/314 B, CIVIL STATION P.O.,
ERANJIPALAM, CALICUT.

BY ADV. SRI.N.N.SUGUNAPALAN (SR.)
SRI.S.SUJIN

RESPONDENTS:
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1. PRINCIPAL SECRETARY TO GOVT.OF KERALA,
HEALTH & FAMILY WELFARE (B) DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.

2. THE PRINCIPAL, MEDICAL COLLEGE,
CALICUT, CALICUT MEDICAL COLLEGE P.O.,
CALICUT-3.

3. STATE OF KERALA, REPRESENTED BY
THE CHIEF SECRETARY TO GOVT.,
GOVT.SECRETARIAT, THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER (SHRI T.T. MUHAMMED)

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 09/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K. M. JOSEPH, J.

W.P.C. NO. 4538 OF 2007 M

Dated this the 9th February, 2007

JUDGMENT

Aggrieved by Ext.P5, petitioner has preferred Ext.P6 purporting to be a Review Petition under Rule 35 of the Kerala Civil Services (Classification, Control & Appeal) Rules, 1960. But, it is not in dispute that the Review is filed beyond the period of two months. Learned counsel for petitioner submits that petitioner will give reasons in writing as to why it could not be filed within time, within a period of ten days from today. If the petitioner files written reasons within a period of ten days from today, first respondent will consider the same and take a decision in the matter relating to explaining reasons and seeking condonation of delay, after hearing the petitioner within a period of one month from the date of receipt of the written submission referred to above. If it is found that reasons have been given for filing Ext.P6 beyond the period of two months, a decision shall be taken by first respondent on Ext.P6 on merits and in

accordance with law, after hearing the petitioner, within a period of two months from the date of the decision finding that Ext.P6 though filed beyond two months' time, can be considered on merits.

The Writ Petition is disposed of as above.

K. M. JOSEPH, JUDGE

kbk.